IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

WP(C).No. 15672 of 2007(N)

PETITIONER:

DUBAI GOLD FASHION JEWELLERY,
M.G.ROAD, KASARAGOD, REPRESENTED BY ITS
MANAGING PARTNER, SHRI.MOHAMMED RAFEEQUE.

BY ADV. SRI.T.M.SREEDHARAN
SRI.V.P.NARAYANAN

RESPONDENTS:

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1. THE COMMERCIAL TAX OFFICER-II,
COMMERCIAL TAXES DEPARTMENT, KASARAGOD.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOZHIKODE.

3. THE TAHSILDAR (REVENUE RECOVERY),
KASARAGOD.

BY ADV. SHRI. MATHEW GEORGE, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 15672 of 2007 N

Dated, this the 24th day of May, 2007

J U D G M E N T

Since the petitioner has filed appeal against sale tax assessment for the year 2004-05, WP(C) is disposed of granting stay against recovery proceedings for the recovery of tax under VAT Act on petitioner remitting 1/3rd of the demand within one month from now. The appellate authority will dispose of the appeal within three months from the date of making payment as above. If the petitioner does not make payment as above, recovery proceedings can be continued for recovering entire arrears.

This WP(C) is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg